

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application of:

TODA

Application Number: 09/769,500

Filed: January 26, 2001

For: CUSTOMER INFORMATION CONTROL SYSTEM

Attorney Docket No.: TESJ.0025

Group Art Unit 2131



**Honorable Assistant Commissioner
for Patents
Washington, D.C. 20231**

STATEMENT (ASSERTION) CLAIMING SMALL ENTITY STATUS UNDER 37 C.F.R. §1.27(C)

Name of Concern: Itako Industries, Ltd..

Address: Ibaraki-ken, Japan

As an attorney of record, I hereby declare that the above identified small business concern qualifies as a small business concern as defined in *13 CFR 121.3-18*, and reproduced in *37 CFR 1.9(d)*, for purposes of paying reduced fees under *section 41(a) and (b) of Title 35, United States Code*, in that the number of employees of the concern, including those of its affiliates, **does not exceed 500 persons**.

For purposes of this statement, (1) the number of employees is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the matter described in the patent application identified above.

Respectfully submitted,

Stanley P. Fisher
Registration Number 24,344

JUAN CARLOS A. MARQUEZ
Registration No. 34,672

REED SMITH HAZEL & THOMAS LLP
3110 Fairview Park Drive
Suite 1400
Falls Church, Virginia 22042
Telephone: 703-641-4289
May 8, 2001

DECLARATION FOR PATENT APPLICATION AND APPOINTMENT OF ATTORNEY

As a below-named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name; I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention (Design, if applicable) entitled CUSTOMER INFORMATION CONTROL SYSTEM

the specification of which (check one):

is attached hereto.

was filed on January 26, 2001 as Application Serial No. _____, and was amended on _____ (if applicable).

was filed on _____ as International Application (PCT) No. _____, and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with *Title 37, Code of Federal Regulations, § 1.56(a)*. I hereby claim foreign priority benefits under *Title 35, United States Code § 119* of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which the priority is claimed.

PRIOR FOREIGN APPLICATION(S)

NUMBER	COUNTRY	DAY/MONTH/YEAR FILED	PRIORITY CLAIMED
			<input type="checkbox"/> <input type="checkbox"/> Yes No
			<input type="checkbox"/> <input type="checkbox"/> Yes No

I hereby claim the benefit under *Title 35, United States Code, § 120* of any United States application(s) or PCT international application(s) designating The United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of *Title 35, United States Code, § 112*, I acknowledge the duty to disclose material information as defined in *Title 37, Code of Federal Regulations, § 1.56(a)* which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

APPLICATION NUMBER	FILING DATE	STATUS (Patented, Pending or Abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine, or imprisonment, or both, under *Section 1001 of Title 18 of the United States Code*, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: I (We) hereby appoint as my (our) attorneys, with full powers of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Stanley P. Fisher, Registration Number 24,344; Juan Carlos Marquez, Registration Number 34,072; and _____

Send correspondence to:

REED SMITH HAZEL & THOMAS LLP
3110 Fairview Park Drive, Suite 1400
Falls Church, Virginia 22042

Telephone calls to:

Stanley P. Fisher
(703) 641-4211

See following pages for additional joint inventors.

Full Name of First or Sole Inventor Yasuhiko TODA	Citizenship Japan
Residence Address - Street 4-2-38, Takadanobaba, Shinjuku-ku	Post Office Address Street 4-2-38, Takadanobaba, Shinjuku-ku
City Tokyo	City Tokyo
State or Country Japan	State or Country Japan
DATE April 20, 2001	SIGNATURE <i>Yasuhiko Toda</i>